

Docket No. 020292

Serial No. 10/688,383

REMARKS/ARGUMENTS

Claims 1-27 remain pending in the application. The claims were rejected in the Office Action dated October 5, 2005. Applicant respectfully traverses the rejections and requests reconsideration and allowance of all pending claims.

Discussion of Rejections Under 35 U.S.C. §103

Claims 1-3 and 5-27 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,873,040 to Dunn et al. (hereinafter Dunn) in view of U.S. Patent Application Publication No. 20030129992 to Koorapaty et al. (hereinafter Koorapaty). Claim 4 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Dunn in view of Koorapaty in further view of U.S. Patent Application Publication No. 20030148774 to Naghian et al (hereinafter Naghian) and U.S. Patent Application Publication No. 20020039905 to Remy (hereinafter Remy).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art reference, or references when combined, must teach or suggest all of the claim limitations.

Applicant contends that a *prima facie* case for obviousness has not been established and respectfully traverses the rejections. In particular, Applicant contends that the references, either alone or in combination, fail to teach or suggest all claimed features. Additionally, there is no motivation to modify the references in a manner that would result in Applicant's claimed invention.

Claim 1 recites "[a] method for identifying transmitters in a wireless communication system." The method includes "obtaining a plurality of received signals for a plurality of transmitters." This feature is not taught nor suggested by Dunn. Additionally, this feature is not taught nor suggested by Koorapaty.

Dunn describes a method for locating a mobile phone in a wireless phone system using measurements of the mobile phone signal strength at base stations. *Dunn*, Abstract. The method described in Dunn includes an infrastructure of multiple radio antennas within a listening range of a mobile unit originating an emergency call. *Id.* at Col. 2, ll. 6-8. "The

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signal strength information obtained from the in-range antennas and their base stations is used to calculate a small circular area in which the calling unit is believed to be located.” *Id.*, at Col. 2, ll. 15-18. In the portion cited by the Examiner, Dunn states: “Base stations...individually monitor transmissions received by their associated antennas from the respective mobile unit; particularly seeking to detect identity (ID) signals, usually sent by the respective unit embedded within its transmissions, and strengths of such ID signals as received.” *Id.*, at Col. 2, ll. 42-47.

Applicant’s claim 1 features “obtaining a plurality of received signals for a plurality of transmitters.” However, Dunn describes receiving transmissions from a *single mobile unit* (the mobile unit originating the emergency call) at multiple base stations. Thus, Dunn fails to describe a plurality of transmitter.

Additionally, Dunn fails to describe “determining a transmitter for each received signal” in the claimed manner. Dunn fails to describe “determining a list of candidate transmitters for the received signal” as claimed. Instead, Dunn describes ID signals that identify the identity of the transmitting mobile unit. Dunn fails to teach or suggest a list of candidate transmitters. Indeed, there is no need in Dunn to have a list of candidate transmitters, because the ID signals positively identify the mobile unit.

Furthermore, Dunn fails to describe “identifying the transmitter for the received signal based on predicted powers for the candidate transmitters and measured power for the received signal.” Dunn does not describe identifying the transmitter...based on measured power of the received signal. Instead, Dunn describes the mobile unit transmitting the ID signal, and the base station identifying the mobile unit ID, which identifies the mobile unit. Dunn describes determining a location of the mobile unit based on received signal strength and does not suggest that the received signal strength is used to identify the mobile unit.

The Examiner concedes that Dunn fails to describe identifying the transmitter based on predicted powers. The Examiner contends that Koorapaty describes this feature. However, Koorapaty describes a system and method of estimating the position of a mobile terminal. *Koorapaty*, Abstract. As was the case with Dunn, Koorapaty describes locating a mobile terminal communicating with multiple base stations. *Id.*, at Paragraph [0010]. Koorapaty describes using predicted received signal strength (RSS) values or RSS values from a test mobile terminal. *Id.* However, as was the case with Dunn, Koorapaty describes determining a location of an identified mobile terminal. The system is not attempting to

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determine which mobile terminal is the source of the transmissions. Additionally, Koorapaty fails to a plurality of transmitters from which a particular transmitter is identified. Koorapaty does not describe identifying a transmitter based on the predicted RSS. Instead, Koorapaty describes determining a location of a mobile terminal using RSS and predicted RSS.

Thus, Dunn and Koorapaty, either alone or in combination, fail to teach or suggest several of the features from claim 1. Neither Dunn nor Koorapaty teach nor suggest a candidate list of transmitter. Similarly, neither Dunn nor Koorapaty teach nor suggest "identifying the transmitter for the received signal based on predicted powers for the candidate transmitters and measured power for the received signal." Thus, a *prima facie* case of obviousness has not been established. Applicant respectfully requests reconsideration and allowance of claim 1.


Claims 13, 19, and 27 include features similar to those described above in relation to claim 1 and are believed to be allowable at least for the same reasons described above in relation to claim 1. Applicant respectfully requests reconsideration and allowance of claims 13, 19, and 27.

Claims 2-12, 14-18, and 20-26 depend, either directly or indirectly, from one of claims 1, 13, and 19 and are believed to be allowable at least for the reason that they depend from an allowable base claim. Applicant respectfully requests reconsideration and allowance of claims 2-12, 14-18, and 20-26.

Applicant believes that all claims pending in the application are allowable. Applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

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